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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,059	09/18/2003	James C. Bedingfield	00342CON	7696

45695 7590 04/24/2006

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EXAMINER
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TIEU, BINH KIEN

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 04/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/666,059

Applicant(s)

BEDINGFIELD, JAMES C.

Examiner

BINH K. TIEU

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 33-52 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 33-52 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/18/2003</u> | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 33 and 37-52 are rejected under 35 U.S.C. 102(e) as being anticipated by Adams et al. (US. Pat. #: 6,816,481).

**Regarding claim 33**, Adams et al. (“Adams”) teaches a system for notifying an Internet-accessible device (i.e., Internet phone of a callee) of a communication placed from a first telecommunications device to a second telecommunications device by a calling party (col.5, lines 54-65), the system comprising:

a switch for detecting the communication (i.e., SSP switch 20 shown in figure 1, col.8, lines 28-37); and

a node (i.e., ISCP 40) in communication with the, wherein the node is configured for communicating associated with the telecommunication device to the Internet-accessible device over the Internet and (i.e., ISCP 40 communicates the information to subscriber PC 25 via ICWS 70; col.7, lines 19-35) and includes:

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a first module (i.e., LIDB 50) for determining information about the calling party (col.6, line 61 through col.7, line 12); and

a second module (i.e., Registration Server 80) for determining information about the Internet-accessible device (col.6, lines 48-58 and col.7, lines 37-61).

Regarding claim 37, note SSP switch 20 as discussed above.

Regarding claims 38-39, note col.7, lines 19-36.

Regarding claim 40, note col.5, line 60 through col.6, line 3.

Regarding claims 41-42, note the Internet 100 as packet-switched network, col.7, lines 19-26 and col.10, lines 12-36.

**Regarding claim 43**, Adams teaches a method for notifying an Internet-accessible device (i.e., subscriber PC 25 of callee) of a communication placed from a first telecommunications device (i.e., calling party's telephone set 28) by a calling party to a second telecommunications device (i.e., subscriber telephone set 18) associated with a called party, the method comprising:

detecting the communication (i.e., SSP switch 20 shown in figure 1, col.8, lines 28-37);

determining information about first telecommunication device associated with the calling party (col.6, line 61 through col.7, line 12);

determining information about the Internet-accessible device (col.6, lines 48-58 and col.7, lines 37-61); and

sending a notification message that includes information about the calling party to the Internet-accessible device via the Internet (i.e., ISCP 40 communicates the information to subscriber PC 25 via ICWS 70; col.7, lines 19-35).

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Regarding claim 44, note SSP switch 20 shown in figure 1, col.8, lines 28-37 and col.6, lines 11-25.

Regarding claims 45-46, note col.6, line 66 through col.7, line 12.

Regarding claims 47-49, note col.9, lines 13-21.

Regarding claims 50-51, note the Internet 100 as packet-switched network, col.7, lines 19-26 and col.10, lines 12-36.

**Regarding claim 52**, Adams teaches a computer-readable medium having stored thereon a set of instructions which, when executed by a processor, cause the processor to:

determine information about a calling party that placed a communication to a telecommunications device (col.6, line 66 through col.7, line 12);

determine information about a calling party that placed a communication to telecommunication device (i.e., central office providing caller ID information to callee, col.5, lines 31-34);

determine information about an Internet-accessible device associated with the called party (col.6, lines 48-58 and col.7, lines 37-61);

generate a notification message indicating that the calling party placed a communication to the telecommunications device; and

transmit the notification message to the Internet-accessible device via the Internet (col.7, lines 19-35).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 34-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adams et al. (US Pat. #: 6,816,481) in view of Devillier (US Pat. #: 5,850,435 as cited in the previous Office Action).

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Regarding claims 34-36, Adams fails to clearly teach telephones 18, 28 and PC 25 of both callee and caller are wireless devices. However, Devillier teaches in figure 5 that a callee's telephone terminal 506 is a wireless telephone set for receiving caller ID information (col.5, lines 5-9).

Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made to incorporate the teachings of wireless telephone set for receiving caller ID information, as taught by Devillier, into view of Adams in order to Internet caller ID services in the wireless telecommunications network.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh K. Tieu whose telephone number is (571) 272-7510 and E-mail address: [BINH.TIEU@USPTO.GOV](mailto:BINH.TIEU@USPTO.GOV).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (571) 272-7499 and **IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL Customer Service at (703) 306-0377 FOR THE SUBSTITUTIONS OR COPIES.**

Any response to this action should be mailed to:

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



BINH TIEU  
PRIMARY EXAMINER

Art Unit 2643

Date: April 20, 2006